

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DIANNE DUFFY, as the Executrix of the)
Estate of Robert Duffy, DIANNE DUFFY,)
as the Executrix of the Estate of Rita Duffy,)
and ALEXANDRA DUFFY, individually,)

Plaintiffs,)

v.)

CEVA LOGISTICS, US, INC., MICHAEL)
BONDI, HOME DEPOT, USE, INC.,)
t/d/b/a/ THE HOME DEPOT, HENIFF)
TRANSPORTATION SYSTEMS, LLC,)
MICHAEL A. PRUITT and ESTES)
EXPRESS LINES,)

Defendants.)

Civil Action No. 12-236

Chief Judge Joy Conti
Magistrate Judge Susan Baxter

ORDER

Plaintiffs' lawsuit was received by the Clerk of Court on October 1, 2012 (ECF No. 1). Plaintiffs' Motion for Sanctions and Request for Emergency Hearing and Judgment in Favor of the Plaintiffs (ECF No. 41), was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1) and Rule 72 of the Local Rules for Magistrates.

The magistrate judge's Report and Recommendation (ECF No. 45), filed on December 31, 2013, recommended that the motion be denied to the extent Plaintiffs requested that judgment be entered in their favor, but granted insofar as Plaintiffs requested that Defendants provide Plaintiffs with a current privilege log to allow them to determine the extent of any

outstanding documents withheld during discovery, pursuant to Rule 26 of the Federal Rules of Civil Procedure.

The parties were allowed fourteen (14) days from the date of service to file objections, and no objections were filed. After de novo review of the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 21st day of January, 2014;

IT IS HEREBY ORDERED that Plaintiffs' Motion for Sanctions and Request for Emergency Hearing and Judgment in Favor of the Plaintiffs (ECF No. 41) is DENIED to the extent Plaintiffs requested that judgment be entered in their favor, but GRANTED insofar as Plaintiffs requested that Defendants provide Plaintiffs with a current privilege log to allow them to determine the extent of any outstanding documents withheld during discovery, pursuant to Rule 26 of the Federal Rules of Civil Procedure.

The Report and Recommendation (ECF No. 41) of Magistrate Judge Baxter, filed on December 31, 2013, is adopted as the opinion of the Court.

s/ Joy Flowers Conti
Joy Flowers Conti
Chief United States District Judge

cc: All parties of record